## IN THE UNTIED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

CHRISTOPHER LANCE SHOCI	KLEY, )	
Petitioner,	) ) )	NO. 3:09-1096 JUDGE HAYNES
<b>v.</b>	)	
RICKY BELL, Warden,	)	
Respondent.	)	
	ORDER	2

Before the Court is the Magistrate Judge's Report and Recommendation (Docket Entry No. 38) for the Petitioner's petition for writ of habeas corpus (Docket Entry No. 1) be denied as well as dismissed with prejudice. To date neither party has not filed any objections.

After <u>de novo</u> review, the Court **ADOPTS** the Report and Recommendation and the Petitioner's petition for writ of habeas corpus (Docket Entry No. 1) s **DENIED** and this action is **DISMISSED** with prejudice.

The Court declines to issue a Certificate of Appealability under 28 U.S.C. § 2253(c).

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the \_/3 day of June, 2011.

United States in Judge